Supreme Court, U.S.
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No. 92-932

In the Supreme Court of the United States

October Term 1992

LEON C. BAKER,

Petitioner,

v.

J. R. BENNETT AND LAURA BENNETT,

Respondents.

PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF ALABAMA

SUPPLEMENTAL BRIEF FOR RESPONDENTS

JAMES L. NORTH
Counsel of Record
J. TIMOTHY FRANCIS
James L. North & Associates
700 Title Building
300 21st Street North
Birmingham, Alabama 35203
(205) 251-0252

JOHN W. HALEY
BRUCE W. MCKEE
Hare, Wynn, Newell & Newton
The Massey Building
290 21st Street North, Suite 800
Birmingham, Alabama 35203
(205) 328-5330

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SUPPLEMENTAL BRIEF FOR RESPONDENTS

ARGUMENT

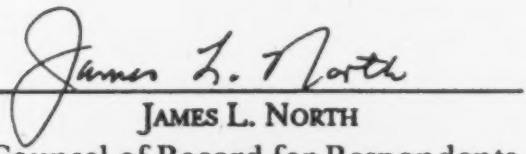
Petitioner concedes that "None of the matters set forth [in the Supplemental Brief in Support of Petition for Writ of Certiorari], of course, is ripe for review by this Court since appeals from the Alabama Circuit Court have not yet been heard by the Alabama Supreme Court." (Supplemental Brief p. 10). That is obviously sufficient reason, in and of itself, for this Court not to consider petitioner's Supplemental Brief. However, in addition to this concession, there is no record below. In the absence of a record, it is impossible for respondents to correct every misstatement of fact made by petitioner. Suffice it to say they are many. Such corrections will be pointed out on appeal to the Alabama Supreme Court.

In light of petitioner's concession, there can be no proper motive for the filing of the Supplemental Brief in Support of the Petition for Writ of Certiorari. Under these circumstances, it is scandalous that the Supplemental Brief was filed.

CONCLUSION

For the above reasons and the reasons stated in the original Brief for Respondents, the Petition for a Writ of Certiorari should be denied.

Respectfully submitted,



JAMES L. NORTH
Counsel of Record for Respondents
J. TIMOTHY FRANCIS
James L. North & Associates
700 Title Building
300 21st Street North
Birmingham, Alabama 35203
(205) 251-0252

JOHN W. HALEY
BRUCE W. MCKEE
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